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MARTIN & FERRARO, LLP  
1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632

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**FACSIMILE TRANSMITTAL**

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**TO:**

**Name:** Mail Stop AMENDMENT  
Group Art Unit 3764/Examiner Michael Brown

**Firm:** U.S. Patent & Trademark Office

**Fax No.:** 571-273-8300

**Subject:** U.S. Patent Application No. 09/412,082  
Gary K. Michelson

Filed: October 4, 1999

**METHOD FOR INSERTING FRUSTO-CONICAL  
INTERBODY SPINAL FUSION IMPLANTS**

Attorney Docket No. 101.0052-01000

Customer No. 22882

Confirmation No.: 9192

**FROM:**

**Name:** Thomas H. Martin, Esq.

**Phone No.:** 330-877-2277

**No. of Pages (including this):** 12

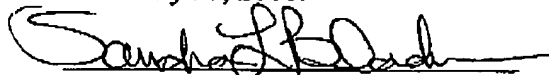
**Date:** July 27, 2006

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**Message:****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate) and Amendment are being facsimile transmitted to the U.S. Patent and Trademark Office on July 27, 2006.

  
Sandra L. Blackmon

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FORM PTO-1083

Attorney Docket No.: 101.0052-01000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 Gary K. Michelson )  
 Serial No.: 09/412,082 )  
 Filed: October 4, 1999 )  
 For: METHOD FOR INSERTING FRUSTO- )  
 CONICAL INTERBODY )  
 SPINAL FUSION IMPLANTS )

Confirmation No.: 9192  
 Group Art Unit: 3764  
 Examiner: Michael Brown

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Mail Stop AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in reply to the Office Action of June 12, 2006 in the above-identified application.

- ☒ No additional fee is required.  
☐ Applicant hereby requests a \*\*\*-month extension of time to respond to the above office action.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	21	-	21 **	0	LG=\$50 SM=\$25	\$50	\$ 0
INDEPENDENT CLAIMS FEE	2	-	3 ***	0	LG=\$200 SM=\$100	\$200	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$360 SMALL ENTITY FEE = \$180		\$ 0
TOTAL							\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.


\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ The total amount of \$\*\*\* to cover the above fees is to be charged to Deposit Account No. 50-3726.  
☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. A copy of this sheet is enclosed.  
☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims  
☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
 MARTIN & FERRARO, LLP

Date: July 27, 2006

By:

  
 Thomas H. Martin

Registration No. 34,383

1557 Lake O'Pines Street, NE  
 Hartville, Ohio 44632  
 Telephone: 330-877-0700  
 Facsimile: 330-877-2030

Transmittal of Amendment.DOC

FORM PTO-1083

Attorney Docket No.: 101.0052-01000  
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SPINAL FUSION IMPLANTS

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Examiner: Michael Brown

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INDEPENDENT CLAIMS FEE	2	-	3	0	LG=\$200 SM=\$100	\$200	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS:					LARGE ENTITY FEE = \$380 SMALL ENTITY FEE = \$180		\$ 0
TOTAL							\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

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Transmittal of Amendment 000

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Attorney Docket No. 101.0052-01000  
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SPINAL FUSION IMPLANTS	)	

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

In reply to the Office Action dated June 12, 2006, please amend the application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 6 of this paper.

Amendment 7-27-06.doc